

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 3019 - SB 2920

February 8, 2010

SUMMARY OF BILL: Requires any challenge by a candidate of a primary election to be heard by an administrative law judge appointed by the Secretary of State and conducted as a contested case hearing pursuant to the Uniform Administrative Procedures Act.

ESTIMATED FISCAL IMPACT:

Increase State Revenue - \$5,000/Every Other Year

Assumptions:

- The number of primary election challenges in any two-year election cycle is expected to be small.
- An estimated five cases would be referred to the Administrative Procedures Division every election cycle, or every two years.
- The cost of an administrative law judge is \$100 per hour.
- Each case is estimated to require 10 hours of judge time (hearing, travel, and order preparation) for a total cost per case of \$1,000.
- The total increase in state revenue per election cycle is estimated to be approximately \$5,000 (\$1,000 x 5 cases).
- According to the Administrative Procedures Division, the Division has never conducted a hearing for a private party, and the bill does not provide a funding source to pay the cost of these contested case hearings.
- Since it is unknown who would pay the cost of these hearings, it is assumed that the challenger, rather than any state or local entity, would be responsible for payment.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White".

James W. White, Executive Director

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